

Remarks

Claims 1-28 are pending in the above-identified application. Claims 2-4, and 12-14 are amended, claims 1 and 11 are cancelled, claims 5 and 15 are original, claims 24-28 are new and claims 6-10 and 16-23 are allowed.

The Examiner objected to claims 1, 6 and 18 because of certain informalities. With this amendment Applicant has corrected these informalities, and the Examiner is respectfully requested to reconsider the objection to the claims. However, Applicant does not see the necessity of changing "a single media" to "a single physical media" in claims 6 and 18.

Claims 6-10 and 16-23 have been allowed by the Examiner. The Examiner further stated that claims 2-3 and 12-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With this amendment Applicant has amended claim 2 to include the all the limitations of claim 1, thus placing claim 2 into independent form. Claim 1 has been cancelled, and claims 3 and 4 have been amended to be dependent upon claim 2. Also, with this amendment Applicant has amended claim 12 to include the all the limitations of claim 11, thus placing claim 12 into independent form. Claim 11 has been cancelled, and claims 13 and 14 have been amended to be dependent upon claim 12. Claims 2-5 and 12-15 are thus allowable.

The Examiner rejected claims 1, 4, 5, 11, 14, and 15 under 35 U.S.C. 103(a) as being unpatentable over Allen Jr. et al. (U.S. Publisher Application 2001/0017861) in view of Benedyk et al. (U.S. Patent 6,990,089).

MPEP §706.02(j) states:

"To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

MPEP §2143.01 provides: The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984).

One court further noted that there were three possible sources for such motivation, namely "(1) the nature of the problem to be solved; (2) the teachings of the prior art; and (3) the knowledge of persons of ordinary skill in the art." *Id.* at 1357, 47 USPQ2d at 1458. Here,

according to this court, the Board had relied simply upon "the high level of skill in the art to provide the necessary motivation," without explaining what specific understanding or technological principle within the knowledge of one of ordinary skill in the art would have suggested the combination.

Claims 1 and 11 have been cancelled, and claims 4 and 5 are dependent upon allowable claim 2 and claims 14 and 15 are dependent upon allowable claim 12. Therefore, the rejection of claims 1, 4, 5, 11, 14, and 15 under 35 U.S.C. 103(a) as being unpatentable over Allen Jr. et al. in view of Benedyk et al. has been overcome, and the Examiner is respectfully requested to reconsider this rejection.

Claims 24-28 have been added. Claims 25-28 are dependent upon claim 24, and claim 24 is an independent claim which includes the elements of original claim 1 and the additional element of "a point code cloning scheme for transparently forwarding a signaling message on the signaling link". The Examiner stated the following: "...Examiner's statement of reasons for the indication of allowable subject matter: The closest prior art of record fails to disclose or suggest wherein the system further comprises at least one call controller operatively connected to the integrated media and signaling gateway, and a point code cloning scheme for transparently forwarding a signaling message, which is received on the signaling link, to the at least one call controller." Therefore, new claims 24-28 are allowable over the cited prior art. The Examiner is respectfully requested to indicate the allowability of new claims 24-28.

The dependent claims include all the limitations of the independent claims upon which they depend, and therefore for the reasons set forth above with regards to the independent claims, these dependent claims are deemed to be allowable over any combination of the cited prior art.

Applicants respectfully submit that the applied references, taken singly or in combination, assuming, arguendo, that the combination of the applied references is proper, do not teach or suggest one or more elements of the claimed invention. Applicants have discussed herein one or more differences between the cited prior art, and the claimed invention with reference to one or more parts of the cited prior art. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of cited prior art correspond to the claimed invention.

Reconsideration and withdrawal of the rejections is therefore respectfully requested. In view of the above remarks, allowance of all claims pending is respectfully requested.

The prior art made of record and not relied upon is considered to be of general interest only. This application is believed to be in condition for allowance, and such action at an early date is earnestly solicited. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,



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